

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cory O. Nykoluk et al. : Group Art Unit: 3781
Serial Number: 10/688,477 : Examiner: Tri M. Mai
Filed: October 17, 2003 :
For: PIVOTAL HANDLE FOR :
TOWABLE BAGGAGE :
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RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Hon. Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Notice of Non-Compliant Appeal Brief dated May 29, 2008,
Appellants hereby submit the following statement of the status of all claims to replace the
original filed statement of the status of claims section, found in Part III of the Appeal Brief, and
Applicants hereby submit the following Evidence Appendix section found in Part IX of the
Appeal Brief.

III. Status of Claims

Claims 1-29, 36, 37, 51 and 52 are cancelled. Claims 30-35, 38-50 and 53-56 remain in the application. Claim 31 stands objected to, and claims 53-56 have been allowed. Claims 30, 32-35, and 38-50 are finally rejected and are appealed.

IX. Evidence Appendix

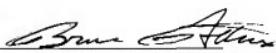
Appellants do not rely on evidence entered by the examiner for purposes of this appeal.
Thus there is no corresponding evidence appendix.

Remarks

In accordance with the Notice, only the corrected sections of the Appeal Brief is being resubmitted, as resubmission of an entire Appeal Brief is expressly stated to be unnecessary.

The basis for the Notice of Non-Compliance is now believed to be overcome, and Appellants respectfully request that the appeal move forward.

Respectfully submitted,


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